



The following constitutes
the order of the court. Signed October 11, 2012

Stephen L. Johnson
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re

COMMUNITY TOWERS I, LLC,
COMMUNITY TOWERS II, LLC,
COMMUNITY TOWERS III, LLC,
COMMUNITY TOWERS IV, LLC,
Debtors.

Case No. 11-58944-SLJ
Case No. 11-58945-SLJ
Case No. 11-58948-SLJ
Case No. 11-58949-SLJ
Cases Jointly Administered
Chapter 11

ORDER RE: OBJECTION TO PROOFS OF CLAIM Nos. 4, 5, 6 AND 7

On October 5, 2012, Debtors filed an Objection to Proofs of Claim Nos. 4, 5, 6 and 7 ("Objection to Claim") which were filed by creditor CIBC, Inc. ("CIBC"). The Objection to Claim has a caption showing a hearing date for October 15-16, 2012, but it is not accompanied by a notice of hearing.

The hearing currently set for October 15-16, 2012, pertains to the confirmation of Debtors' chapter 11 plan. It is not a hearing on an objection to a claim. A hearing on an objection to claim requires 30 days notice absent an order shortening time. Fed.R.Bankr.Proc. 3007(a). The Objection to Claim will not be heard at this time.

1 The court appreciates that CIBC objects to confirmation of Debtors' plans on grounds of
2 feasibility. The parties argue in their briefs about the proper amount of CIBC's claim and its
3 bearing on feasibility. The court will certainly consider the CIBC claim in the context of feasibility
4 but that will not result in a final ruling on the allowability of CIBC's claim. Rather, it arises solely
5 in the context of feasibility and plan confirmation.

6 IT IS SO ORDERED.

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8 *** * * * END OF ORDER * * * ***
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UNITED STATES BANKRUPTCY COURT

For The Northern District Of California

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